

REMARKS

Claims 1-22 were previously pending in this patent application. Claims 1-22 stand rejected. Claims 1-22 remain pending in this patent application.

Rejection under 35 U.S.C. §101

The present office action states that Claims 1-22 are rejected under 35 U.S.C. §101 because the claimed invention lacks patentable utility. Applicants respectfully overcome in part and disagree in part.

Regarding Independent Claim 1, Applicants have amended Independent Claim 1 herein.

Regarding Independent Claim 16, Applicants respectfully submit that Claim 16 does indeed provide a tangible result. Applicants point out that claim 16 includes the features whether a further segment of content is to be admitted or denied to said proxy cache based on the “average view length”. Therefore, Applicants respectfully submit that Claim 16 does, in fact, present a useful result.

Independent Claim 1 recites:

A method of managing a testing task, said method comprising:
receiving a plurality of test cases to run, each test case including a plurality of requirements for running said respective test case;
receiving an identification of a group of available test systems on which to run said test cases;
for each test case, determining a list of applicable test systems from said group that satisfy said requirements of said respective test case;
automatically selecting and starting test cases to run based on each respective list and said available test systems so that as many test cases as possible are run in parallel; and
when any test case ***finishes running and releases a test system to said group of available test systems***, automatically selecting and starting an additional test case to run if possible based on said respective list and said available test systems. (emphasis added)

It is respectfully asserted that Independent Claim 1 does provide a real life, real world, useful, concrete tangible result. In particular, Independent Claim 1 recites a method for managing a testing task. Claim 1 features include “

receiving a plurality of test cases to run, receiving an identifier of systems to test, automatically selecting and starting test cases... automatically selecting and starting an additional test case to run if possible based on said respective list and said available test systems," (emphasis added).

Thus, Claim 1 does indeed provide a tangible real world result. For example, Claim 1 automatically selects and starts test cases. Therefore, Applicants respectfully submit that the rejection of Claim 1 under 35 U.S.C. §101 is overcome and as such, Claim 1 is in condition for allowance.

Dependent Claims 2-7 are dependent on allowable Independent Claim 1. Hence, it is respectfully submitted that Dependent Claims 2-7 also overcome the rejection under 35 U.S.C. §101.

With respect to Independent Claim 8, it is respectfully submitted that Independent Claims 8 recites similar limitations as in Independent Claim 1. For example, Claim 8 clearly recite the features "receiving a plurality of test cases to run, receiving an identifier of systems to test, automatically selecting and starting test cases... automatically selecting and starting an additional test case to run.

Therefore, Applicant respectfully submits the rejection of independent Claim 8 under 35 U.S.C. §101 is overcome and Claim 8 is in condition for allowance.

Dependent Claims 9-14 are dependent on allowable Independent Claim 8 respectively. Hence, it is respectfully submitted that Dependent Claims 9-14 also overcome the rejection under 35 U.S.C. §101.

With respect to Independent Claim 15, it is respectfully submitted that Independent Claims 15 clearly recite the features “wherein said test driver selects and starts test cases to run so that as many test cases as possible are run in parallel based on said available test systems and said requirements.”

Thus, Claim 15 does indeed provide a tangible real world result. For example, Claim 15 automatically selects and starts test cases. Therefore, Applicants respectfully submit that the rejection of Claim 15 under 35 U.S.C. §101 is overcome and as such, Claim 15 is in condition for allowance.

Dependent Claims 16-22 are dependent on allowable Independent Claim 15 respectively. Hence, it is respectfully submitted that Dependent Claims 16-22 also overcome the rejection under 35 U.S.C. §101.

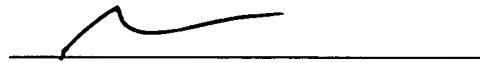
CONCLUSION

Based on the arguments presented above, Applicants respectfully assert that Claims 1-22 overcome the rejections of record, and therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
Wagner, Murabito & Hao LLP

Date: 11/6/06


John P. Wagner, Jr.

Reg. No. 35,398

WESTRIDGE BUSINESS PARK
123 WESTRIDGE DRIVE
WATSONVILLE, CALIFORNIA 95076
(408) 938-9060